

## PREFACE

The conservation, development and wise use of recreational resources are of great importance in satisfying the social and general welfare needs of Cobb Countians. More people than ever before are utilizing nearby recreational opportunities and facilities available to them. Increased leisure time, greater interest in personal physical fitness, and improved standards of living require ever-expanding programs and facilities.

Planning for the future leisure needs, as well as meeting current needs, is a monumental task. The purpose of the Cobb County Board of Commissioners, through it's Recreation Commission and Parks, Recreation and Cultural Affairs staff, is to serve the leisure needs of the citizenry of Cobb County. This document is one of their tools for management of the County leisure services operations.

The Cobb County Recreation Commission is responsible for developing policies for the Parks, Recreation and Cultural Affairs Department. The sole exception is the operation of the Arts and Cultural Affairs Unit, whose policies are set by the Cobb Arts Commission. They also set policy for the Grants Process. All policies of a general operational nature for the Department are included herein. Any addenda made between the annual review process will be presented to individuals or groups along with this document as a formal portion of this manual.

The annual review process will ensure that this manual is accurately maintained. This process provides a review of this document between September and December annually, with revised copies ready for distribution no later than January 1, the following year.

Changes, revision, etc., to this manual or parts herein can only be made by a majority vote of the Cobb County Recreation Commission. Action that affects policies cannot be taken at the initial presentation of said request. There must be a month's waiting period from the presentation of such policy changes to formal consideration by the Recreation Commission.

## DEFINITIONS

**BASIC SERVICES** - Refers to basic operational costs, facility development, maintenance costs, utilities, etc., of parks and /or park facilities and costs thereof. This also states that these funds are derived from the basic tax supported portion of the Department budget.

**BOARD OF COMMISSIONERS** - Refers to the five-member elected Cobb County Board of Commissioners. This board represents the ultimate authority in operations of the Parks, Recreation and Cultural Affairs Department. This board consists of one chairman and four district members.

**COMMISSION** - This term refers to the seven-member Cobb County Recreation Commission as appointed by the Board of Commissioners. (Chapter I, Section II).

**COMMUNITY PARK** - Refers to parks and/or park facilities that were not designed as a revenue producing facility.

**CONCESSIONS** - Refers to the sale of a product and/or service within the confines of a park or park facility. This includes, but is not limited to, such things as food, drink, snack, or novelty sales and services such as parking, etc.

**DEPARTMENT** - This term hereinafter refers to the Parks, Recreation and Cultural Affairs Department under the Cobb County Board of Commissioners.

**DIRECTOR** - Refers to the duly appointed Department head. The Director of the Cobb County Parks, Recreation and Cultural Affairs Department is recommended by the Recreation Commission through the County Manager and ultimately appointed from a list of candidates by the Chairman of the Board of Commissioners with ratification by the full Board.

**FACILITY** - This term refers primarily to indoor facilities within a park, on park property or which is a property within itself--such as the Art Place - Mountain View.

**GENERAL FUND** - This refers to monies derived through the Board of Commissioners for the annual maintenance and operations of the Department.

**PARKS** - This term refers to any park, park property and/or facilities located on any park or park property under control of the Board of Commissioners.

**PARK USE/FACILITY USE CONTRACT** - Refers to a specific legal contract that enables user groups to utilize County parks

and/or park facilities on a scheduled basis.

**PARTNERSHIPS** - Refers to a relationship existing between this Department and other agencies, groups, businesses, etc., associated as joint principles in a cooperative enterprise.

**REVENUE PRODUCING FACILITIES** - This refers to facilities that are designed and/or operated in such a manner as to maximize revenue potential to cover the cost of the facility's operation. These facilities are generally classified as a special service portion of our Department's operations, thus justifying that fees may be charged.

**SPECIAL SERVICES** - This term refers to the "Enterprise Fund" of the Department's operation as was adopted in November 1978 and began operation in January 1979. This provides that "special leisure services" and programs are financed through user fees and charges.

**SPECIALIZED USE FACILITIES** - These facilities are designed and operated to handle the specialized needs of special interest groups (i.e., Jim Miller Park).

**USER FEE** - This is a charge made by the Commission to a user of a special program service, or specialized facility operated by the Department.

**VOLUNTEER ORGANIZATION** - A group comprised of volunteers, led by a board of elected officers, who operate a program, facility, or hobby interest. Often called "association" or "user group." This may refer to groups formed to run youth or adult programming.

**CHAPTER I**  
**COBB COUNTY, GEORGIA**  
**AUTHORITY AND INTENT**

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AUTHORITY AND INTENT

**SECTION I - GEORGIA ENABLING LEGISLATION**

An act empowering cities, towns, and counties, separately or jointly, in the state of Georgia to provide, maintain, and conduct supervised recreation systems and to acquire, establish, conduct, and maintain parks, playgrounds, recreation facilities and activities, and authorizing such municipalities and counties to create recreational board or commissions and prescribing their powers and duties. (Ga. Laws 1946, p.152, as amended by Ga. Laws 1953, p.30; 1963, p.213; 1964, p.319; 1971, p.262)

**SECTION II - RECREATION COMMISSION ESTABLISHED**

Code of Cobb County, Georgia, Section 3-19-20

Under the provision of House Bills 794, approved February 1, 1946, Act No. 622, Georgia Code annotated, chapter 69-6, there is hereby established a Recreation Commission.

**SECTION III - RECREATION COMMISSION APPOINTED**

Code of Cobb County, Georgia, Section 3-19-20

This Commission shall be appointed by the Board of Commissioners and shall consist of seven persons serving without pay. The term of office shall be five years or until successors are appointed and qualified, except that the members of such a Commission first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter. Vacancies in such Commission occurring otherwise than by appointment, for the unexpired term. (Res of 3-65, 1; Mo. of 3-89-66; Mo. of 2-80-72)

**SECTION IV - RECREATION COMMISSION ORGANIZATION**

CODE OF COBB COUNTY, GEORGIA, SECTION 3-19-21

The members of the Recreation Commission shall meet and organize by electing one of their number chairman and such other officers as may be necessary. The Recreation Commission shall recommend for adoption by the Board of Commissioners by-laws, rules, and regulations for the proper conduct of recreation for the County. (Res 3-65,2)

## **SECTION V - RECREATION COMMISSION DUTIES AND POWERS**

Code of Cobb County, Georgia, Section 3-19-22

The Recreation Commission shall provide, conduct, and supervise public playgrounds, playfields, indoor recreation centers, and other recreation facilities owned or controlled by the County. It shall have the power to conduct any form of recreation or cultural activity that will employ the leisure time of the people in a wholesome or constructive manner. It may conduct such activities on properties under its own control, or public properties with the consent of authorities thereof, and on private properties with the consent of the owners. (Res 3-65, 3)

NOTE: The Arts Commission sets policy relating to Arts and Cultural Affairs Unit programming/facilities.

## **SECTION VI - STAFFING**

Code of Cobb County, Georgia, Section 3-19-23

The Recreation Commission shall recommend to the Board of Commissioners for employment as Director of Parks, Recreation and Cultural affairs a person who is trained or properly qualified for the work, and such other personnel as the Recreation Commission deems proper. (Res of 3-65, 4)

## **SECTION VII - POLICY INTENT**

Due to the broad scope of overall park and recreation activities, Department operations have become increasingly complex. It is therefore advisable to bring together, under one "codification," all the policies of the Commission. The intent of this manual is to address policy statements and not to include the many procedures, rules, and regulations necessary to implement these policies in the daily operation of the Department.

The ultimate intent of the adoption of these policies is to ensure optimal utilization of all assigned resources by the greatest number of citizens.

**CHAPTER II**  
**RELATIONSHIPS WITH OTHER AGENCIES AND BODIES**

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**SECTION I - PRIORITY USAGE OF PARK FACILITIES**

All parks, recreational facilities, special use facilities, and other leisure related facilities acquired, developed, operated, maintained, or under the control of the Commission, are for the explicit purpose of providing a public parks and recreation service to the citizens of Cobb County.

**SECTION II - PARK AND SCHOOL COOPERATION**

Recognizing that the joint use of facilities by the school system and the Department is making the wisest use of the tax dollar, the Commission supports and encourages such use. Thus, it is the policy of this Commission to cooperate with all schools in making available for their use park facilities at any time said facilities can be scheduled so as not to conflict with activity the Department deems necessary to provide quality leisure service to the community.

**SECTION III - COMMUNITY SCHOOL PROGRAM**

In its effort to make the most efficient use of public property for the use of Cobb Citizens, the Commission adopts the concept of the Cobb County Community School Program and supports the Board of Education and the Board of Commissioners in their efforts to fund and operate said program.

**SECTION IV - VOLUNTEER ORGANIZATIONS**

It is the policy of the Commission to recognize, encourage, and support volunteers as an integral part of the leisure service delivery system of the Department. Awareness of unique responsibilities of both professional and volunteer in that delivery system demands clear identification of the role of each entity to ensure the proper assignment and utilization of both.

**SECTION V - PRIVATE SECTOR**

It is the policy of this Commission to encourage, support, and enter into "public/private partnerships" that expand the scope and enhance the quality of leisure facilities, services, and opportunities provided by the Department. The general principle making public/private partnerships advantageous to the Department is one that emphasizes positive benefits to the general public while exerting proper control and constraints over the commercialization of the

partnership. Each partnership will be considered on its own merits.

#### **SECTION VI - DEPARTMENTS OF COBB COUNTY GOVERNMENT**

Recognizing that this Department is a line-department of Cobb County Government and as such is a part of the total delivery system of general governmental services, it is the policy of this Commission to assist and cooperate with other County departments. Such assistance and cooperation should not in any way decrease or down-grade the level or quality of leisure services provided by the Department in carrying out its primary mission.

#### **SECTION VII - MUNICIPAL PARKS AND RECREATION AGENCIES**

It is the policy of this Commission for the Department to initiate positive actions toward communication, cooperation, and coordination with the municipal parks and recreation agencies within Cobb County in an effort to eliminate costly duplication and maximize productivity within the leisure service delivery system of Cobb County.

#### **SECTION VIII - STATE AGENCIES**

The Department will actively seek the support of and assistance from appropriate state agencies whose mission is either compatible with or supportive of the provision of leisure services at the local government level.

#### **SECTION IX - FEDERAL AGENCIES**

It is the policy of this Commission for the Department to seek available and appropriate assistance from various federal agencies in such areas as technical, financial, and other forms of supportive assistance.

This Commission further recognizes the existence of the Kennesaw Mountain National Battlefield Park and the Chattahoochee River National Recreation area, operated by the National Park Service within the geographical boundaries of Cobb County. The Department should work in such a cooperative manner with these agencies as to avoid costly duplication and maximize the level of services provided Cobb County Citizens.

**CHAPTER III**  
**PROTECTION OF PARK PROPERTY**

### **CHAPTER III PROTECTION OF PARK PROPERTY**

#### **SECTION I - ESTABLISHMENT OF PARK RANGER DIVISION**

The Park Ranger Division is established for the purpose of educating the public in the proper use of park facilities. The Park Rangers have the ultimate authority for the enforcement of all laws of the State of Georgia and all ordinances established by the Board of Commissioners, within the Cobb County park system. Thus the Park Rangers are responsible for the security of all facilities under the control of the Department, and are responsible for the security, safety, and well being of all users of facilities and/or programs of the Department. The Rangers may be designated to provide security for other County facilities such as libraries, animal shelter, senior citizen facilities and others under the community services as may be determined by the Board of Commissioners.

#### **SECTION II - WEAPONS POLICY FOR PARK RANGERS.**

The Park Ranger is charged with the security, safety, and general welfare of all citizens using County parks and the security and protection of all equipment, buildings, and properties of the Department. Each Ranger is a certified law enforcement officer in the State of Georgia. Park Rangers are to be armed with a side arm weapon as part of their standard uniform and equipment. The Ranger Division was officially recognized in 1977 as a certified law enforcement agency. The FBI/National Crime Information Center (NCIC), Washington, D.C. assigned Originating Agency Identifier (ORI) number Ga. 03314400 to the Cobb County Ranger Division.

Weapons, as prescribed by the Director, will be issued to all sworn officers of the Ranger Division. No Ranger personnel are allowed to carry the Department issued weapon until they have been certified in safety procedures and have completed a qualified course as prescribed by the Peace Officer Standards and Training Council. Only then may a Ranger wear the Department issued weapon in their official duties for the Department. The Ranger Chief, at his discretion, shall require all Rangers to qualify on the issued service firearm a minimum of three (3) times annually.

(The Georgia law giving the Board of Commissioners the authority to establish County law enforcement agencies and setting policy for the agencies, such as weapon policy, uniforms, duties, etc., are covered in Georgia Code section: police, sections 36-8-1 thru 36-8-67, of the Georgia Law.)

**SECTION III - COMPLIANCE WITH ORDERS OF PARKS, RECREATION AND CULTURAL AFFAIRS DEPARTMENT EMPLOYEES**

**ARTICLE A - ORDERS BY EMPLOYEES**

Department employees are authorized to issue reasonable orders or directives to park users/visitors, when in their opinion an activity being conducted by the visitor constitutes a hazard, endangers the personal safety of the participant or other park visitors, or endangers peace and good order in the parks or in Department sponsored activities either on or off park property.

**ARTICLE B - FAILURE TO OBEY**

No person shall refuse to comply with any reasonable request, order, or directive given in the performance of duty by any Department employee, nor shall any person create a nuisance or obstruction, or use abusive, profane, or insulting language toward said employees of the Department.

Non-compliance indicates irresponsibility. Therefore, the Commission, through the Director or his designee, has authority to suspend or place on probation any person based on such actions.

**SECTION IV - DESTRUCTION OF PUBLIC PROPERTY**

It shall be unlawful for any individual to:

- A. Cut, remove, damage or destroy any turf, tree, sapling, seedling, brush or shrub, whether alive or dead, or chip, blaze, box, girdle, trim or otherwise deface or injure any tree or shrub or break or remove any branch, foliage, flower, of any tree or shrub, or pick, gather, uproot, remove or destroy any flower, plant, or grass without the written permission of the Director or his designee.
- B. Remove or cause to be removed any turf, sand, earth, humus, peat, rocks, boulders, or gravel without the written permission of the Director or his designee.

**SECTION V - FIRES IN COUNTY PARKS**

No person shall build, light, or maintain any open or outdoor fire at any place within any Cobb County park, except in areas or facilities provided and designated for this purpose, unless prior written permission has been obtained from the Director or his designee.

Fires shall not be left unattended. All fires shall be

completely extinguished upon leaving the immediate vicinity.

## **SECTION VI - FIRE ARMS AND DANGEROUS WEAPONS**

No person shall have in his possession while on park property a revolver, pistol, shotgun, rifle, air rifle, air gun, or any gun or bow or other weapons that discharge projectiles, either by air, explosive substance, or any other force. No person shall discharge or set off anywhere on park property any explosive, revolver, pistol, shotgun, rifle, airgun or any bow or other weapons that discharge projectiles, either by air, explosive substance, or any other force.

### **EXCEPTIONS:**

- A. Any park ranger, deputy sheriff, police officer, peace officer, or other duly appointed law enforcement officer while carrying out the responsibilities of their position;
- B. Any discharge of firearms in areas so designed and designated for the purpose of rifle and pistol range shooting;
- C. The use of a bow and arrow (not a cross-bow) in areas designed and designated for the purpose of archery target practice;
- D. Firearms properly possessed and displayed at gun shows, where the proper lease agreement has been executed with the Department, may be permitted. All Federal laws and the laws of the State of Georgia pertaining to the display and possession of firearms must be strictly adhered to while on Cobb County park property.

NOTE: All guns, pistols or rifles must be transported in an unloaded condition and all bows must be transported in an unstrung position!

(Criminal Code of Georgia Code Title 16, Sections 16-11-100 through 16-11-131, apply.)

## **SECTION VII - PLAYGROUND**

It shall be the duty of the Cobb County Park Ranger Division to make a bi-monthly inspection of all playground equipment located in the Cobb County Park System to ensure that each piece of playground equipment is properly maintained and safe for use by the visitors/users of the facilities.

It shall also be the duty of the Park Ranger Division to report any damaged and unsafe pieces of playground equipment to the Parks Division of the Department. Copies will also be forwarded to the Director and Deputy Director. Copies will include a follow-up inspection. If any unsafe equipment is

found not to have been repaired by the Parks Division, a letter will be written to the Director stating the name of the park, date of the initial inspection, date reported to the Parks Division, date follow-up inspection was made, and the equipment that is deemed to be damaged and unsafe.

**CHAPTER IV**  
**PUBLIC USAGE AND OPERATIONS**

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**SECTION I - NON-DISCRIMINATORY CLAUSE**

The Civil Rights Act of 1964 includes several sections. The particular portion of interest and primary concern is referred to as Title VI [42 U.S.C. 2000 (D)], and states:

"No person in the United States shall on the grounds of national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity."

The Board of Commissioners regularly certifies that Cobb County is in compliance with the above law and further states and agrees that no persons shall be denied participation in any park or program based on race, color, national origin, religious background, sex, age, or disability.

Further, under The Americans With Disabilities Act, Title II Public Services, Section 202, Discrimination,

"Subject to the provisions of this title, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity."

**SECTION II - NON-RESIDENT POLICY**

It is the prescribed policy of the Commission to provide programs and facilities for the residents of Cobb County. Therefore, a "Non-Resident Policy" will be adhered to in both individual and group participation in programs as well as reservation procedures in community parks and revenue-producing facilities.

A mandatory Non-Resident Fee shall be charged to all individual and team/group registrants participating in County sanctioned league play and programs. The Non-Resident portion of the registration fee shall be calculated at a rate of twice the current registration fee. The Non-Resident Fee shall not exceed more than \$25.00 for an individual or \$200.00 for a team above the current registration fee. The Non-Resident portion of the total registration fee shall be paid directly to the Cobb County Parks, Recreation and Cultural Affairs Department.

**EXEMPTED FROM NON-RESIDENT FEE:**

Cobb County tax-paying corporations  
Cobb County churches

**FACILITY RESERVATIONS**

It is the policy of this Commission to maximize utilization of existing facilities of the Department. Recognizing the need for advanced reservations to ensure for proper publicity, planning, etc. this Commission authorizes revenue-producing facility reservations on a first-come, first-serve basis.

**SECTION III - LEGAL PARK ORDINANCES OF THE COBB COUNTY CODE  
(CHAPTER 3-19)**

**ARTICLE A - CLOSED HOURS OF PARKS**

All parks shall be closed and no person shall be authorized to be on the premises or property of any County park between the hours of 12:01 a.m. and 7:00 a.m., except authorized County employees or persons engaged in activities authorized by the Recreation Commission or the Board of Commissioners. However certain park/facilities may be closed/open other hours at the discretion of the Recreation Commission through the Director.

**ARTICLE B - ALCOHOLIC BEVERAGES**

Consistent with Board of Commissioners Policy/Code no alcoholic beverages shall be possessed or consumed upon the premises of any Cobb County park facility with the exception that alcohol may be served at a closed ticketed function at the Civic Center, Jim Miller Park, a Cobb County community center, or Cobb County Art Place, which is managed by the Cobb County Parks, Recreation and Cultural Affairs Department. The function cannot be open to the general public and the sale of alcoholic beverages is prohibited at all times.

**ARTICLE C - EJECTION FROM PARK OF PERSON(S) CAUSING  
DISTURBANCE OR VIOLATING LAWS**

Any person causing a disturbance or engaging in any activity which shall unreasonably interfere with the use and enjoyment of the park by citizens, or who shall violate any ordinance of the County or law of the state, shall leave the park upon notification by any authorized park employee or any law enforcement officer, and he shall not return to said park for a period of 24 hours.

**ARTICLE D - DRIVING VEHICLE ON OTHER THAN ROAD WAYS - SPEED**

#### LIMIT

1. It shall be unlawful for any person to drive any vehicle upon or across any part of any public park of the County except upon roadways laid out and maintained for vehicular travel. This section shall not apply to park employees, volunteers, and contractors whose duties require them to drive park maintenance equipment over such parks as authorized by the Director or his designee.
2. It shall be unlawful for any person operating a motor vehicle upon any road within any park under the supervision of the Cobb County Parks, Recreation and Cultural Affairs Department to exceed the speed of 15 miles per hour.

It shall be the duty of the Director of the Parks, Recreation and Cultural Affairs Department to cause signs specifying such limit to be placed at the entrance of each park and at appropriate places within such parks so as to afford notice to the public of said speed limit.

#### ARTICLE E - PARKING OF VEHICLES - PERMITTED AS AUTHORIZED BY LAW

The parking of automobiles shall be permitted in the public parks of the County as long as such parking is in accordance with the traffic laws, rules, and regulations of the Parks, Recreation and Cultural Affairs Department, and the occupants of automobiles do not create a disturbance or violate any law or ordinance of the County or of the State.

#### ARTICLE F - PARKING OF VEHICLES - PROHIBITED DURING CLOSED HOURS

It shall be unlawful for any automobiles or trucks to be parked on any of the drives, avenues, or parking lots in any public park between the hours of 12:01 and 7:00 a.m., daily except with approval of the Director or his designee.

#### ARTICLE G - PARKING OF VEHICLES - PROHIBITED UNLESS USING FACILITIES

It shall be unlawful for any person to park any vehicles upon any of the drives, avenues, or parking lots, or at any other place within any park or any of its related facilities unless using said facilities except with approval of the Director or his designee.

#### ARTICLE H - COMMERCIAL ACTIVITY

No person shall sell, offer to sell, operate a concession or engage in any commercial activity in County parks without

approval and consent of the Director or his designee.

#### ARTICLE I - PENALTY FOR VIOLATION

Any person who shall violate any section of this article shall upon conviction be punished as provided for the conviction of a misdemeanor under the laws of the State.

#### ARTICLE J - SWIMMING, BATHING, WADING

It shall be unlawful for any person to swim, bathe, or wade in any body of water or portion thereof owned by the County or subject to the supervision of the County Recreation Commission. The Commissioners may designate areas for such use during specified hours of the day. In this event, the Commission, through its agents, employees, or other life safety personnel, will maintain and supervise the use of all bodies of water, or portions thereof, and post signs, markers, and other appropriate devices, giving notice of the place so designated. Exception: The Aquatic Center, Sewell Pool, Powder Springs Pool and future aquatic centers and pools.

#### SECTION IV - PARK USE REGULATIONS OF COBB COUNTY GEORGIA

##### ARTICLE A

Organizations conducting youth activities on Cobb County facilities must have a sufficient number of adults present to supervise all scheduled activities from the time the youngsters arrive until every boy or girl has left the area.

##### ARTICLE B

Lights on athletic fields should not be in use while it is raining and a designated adult must make sure the entire park facility is secure, with lights out, before departing the area.

Lights should only be used when necessary or when activities are going on at the field.

##### ARTICLE C

An organization shall be responsible for any damage incurred to the facilities while in use by said organization. Persistent damage to the County facilities while in use by the given organization shall result in the officers of said organization being called before the Commission to show cause why said organization should not be barred from using County park facilities.

#### ARTICLE D

Should spectators, parents, coaches, or officials of an organization display conduct that is unbecoming while said organization is using County facilities, this organization will receive a severe reprimand. The second such misconduct will require that the officers of said organization should be called before the Commission to show cause why said organization should not be barred from using County facilities.

#### ARTICLE E

Constant bickering between two organizations utilizing any County park facility shall be grounds for calling the officers of both organizations before the Commission to show cause why said organizations should not be barred from using County park facilities.

#### ARTICLE F

Each organization is responsible for policing up around athletic fields, parking lots, restrooms, and around and in the concession stand. This task must be attended to prior to leaving the park each night. The Department shall be responsible for the cutting of the grass, moving bleachers, general maintenance, etc.

#### ARTICLE G

Organizations shall submit, in writing to the Director, request for permission to move, change, add, or detach any part of any facility. Response shall be in writing from the Director or his designee to organization before any changes are made.

#### ARTICLE H

Organizations using County facilities must receive permission from the Director or his designee to use association locks on buildings, light boxes, and/or gates. When permission is granted for this, the organization must furnish the Department a key to each lock, immediately.

#### ARTICLE I

No individual may be turned away from programs sponsored by the Department or any organization because of race, sex, age, color, religion, creed, national origin, or disability.

Violation of this will be grounds for immediate withdrawal of facility use privileges.

#### ARTICLE J

No County vehicles or motorized equipment will be available to any individual or organization for field preparation or other use unless authorized by the Director or his designee.

#### ARTICLE K

Groups having usage of a common concession stand during different seasons (eg. spring/summer - fall/winter) are required to remove all supplies and equipment no later than 7 days after the ending date of their contract.

#### ARTICLE L

Upon negotiating a park-use contract, organizations shall provide the Department with a list of its league/organization officials, phone numbers, and addresses, along with program registration information to include dates, times, fee, schedule, and length of season, a current financial statement, and a set of by-laws. (This information is helpful in responding to the calls about various programs.)

#### ARTICLE M

The Department reserves the right to alter or cancel any scheduled activity on park facilities when it determines that such use would damage facilities and/or would not be in the best interest of users' general health and welfare.

### **SECTION V - PRIMARY USAGE OF PARK FACILITIES**

In order to maximize utilization of County park facilities, the following priorities should prevail:

#### ARTICLE A - GAMES, PRACTICE

Priority usage of park facilities is for scheduled games. Secondary usage is for scheduled or impromptu practices, if game schedules permit.

#### ARTICLE B - DESIGN OF FACILITIES

Athletic fields in Cobb County are classified in terms of field distance, age division and seasonal priority usage.

**\* CLASS I** - Involves all fields that have a maximum fence distance of 150 feet. This field is designed for children up to 8 years of age. Primary usage of these fields year-round is for Youth baseball/softball. See Class M.

\* **CLASS 2** - Involves all fields with a maximum fence distance of 200 feet. This field is designed for children up to 12 years of age. Primary use of these fields is for youth baseball/softball. Secondary use is women's church recreation softball. See Class M.

\* **CLASS 3** - Involves all fields with a maximum fence distance of 300 feet. This field is designed for youth ages 13-18 and adult softball. See Class M.

\* **CLASS 4** - Involves all fields over 300 feet. This field is designed for youth ages 15 & up and adults. Primary usage of these fields is youth baseball/adult baseball. See Class M.

\* **CLASS 5** - Involves all fields designed for youth/adult football. Primary usage year round for these fields is youth/adult football.

\* **CLASS 6** - Involves all fields designed for youth/adult soccer. Primary usage year-round for these fields will be youth/adult soccer.

\* **CLASS M** - Involves all fields that require more than one volunteer organization at said park. Primary usage for these fields in February-July is softball/baseball. Primary usage for these fields in August-November is football/soccer. Scheduling of more than one volunteer organization at said park must be approved by the director to avoid conflicts.

\* **SPECIALIZED USE FACILITIES CLASS** - See Section VI, Article C.

\* **EQUESTRIAN AREA** - Primary use of these facilities is scheduled shows, time trials, rodeos, year-round. Secondary usage is for training/practice, year-round.

\* **FISHING PONDS** - Primary usage for lake - (Acworth and Jim Miller Park) and fishing ponds is for no fee fishing for the Cobb citizenry. Fishing is allowed at Jim Miller Park, Thompson Park, Wild Horse Creek Park, Fullers Park, and Lost Mountain Park, while boat and bank fishing are allowed at Lake Acworth. (See Chapter VI/Section II) Non motorized boat fishing is allowed only by advanced permission of the Recreation Commission.

\* **PICNIC SHELTERS** - Primary usage of these facilities is for group picnicking, year-round. Secondary usage of the facilities is for individual picnicking.

\* **YOUTH BASEBALL POLICY** - Each youth volunteer organization is required to accept a minimum of 208 individuals per contracted field in the 12-year old and under leagues.

## **SECTION VI - CONTRACTING/RESERVATIONS OF PARK FACILITIES**

### **ARTICLE A - COMMUNITY ATHLETIC AREAS**

It is the policy of this Commission to ensure maximum utilization of community athletic areas by instituting a formal park reservation procedure.

#### **1. NEW PARKS/FACILITIES**

When a new community park is opened, the Department will seek out groups, non-profit associations, or volunteer organizations providing the same program to the same age group. The Department will require each interested group to submit the previous year's registration to them. Based on that registration information, the new park will be allocated by the Department.

If only one interested group is in the area, then that group will be allowed use of the new facility for the purpose of providing their program or service. If no organization shows an interest in programming the new facility, the Department will form such an organization for the purpose of providing that necessary program or service.

#### **2. EXISTING PARKS/FACILITIES**

If a group, organization, or association is providing a satisfactory recreation program or service in a specific park for a service age group, no other organization or association will be allowed use of the same park for providing the same or similar program or service to the same group.

**EXCEPTION:** - Time or use of a facility or facilities may be altered annually, based on lack of need and/or significant changes in registration as determined by the Commission, Director, or his designee.

**PROCESS:** - The Director or his designee will hold at least one public meeting annually for the purpose of discussing policies and procedures to users in reference to utilization of County park facilities. Volunteer organizations/groups are required to be in attendance prior to receiving annual contracts on park properties.

Prior to completing the contracts, each association or group must furnish the following to the Department:

.Copy of by-laws reflecting an acceptable  
.Copy of previous year's annual financial  
statement. A professionally audited report is  
preferred

.Current list of all officers, names, addresses,  
.Copy of current budget  
.Copy of current league schedule including  
.Copy of the number of participants by age group

home

that

3. SUNDAY USAGE OF FIELDS:

It is the policy of this Commission to refrain from scheduling Sunday usage of athletic fields in community parks as much as possible. However, such uses as large picnics, family gatherings, intra-business competition, etc., may require such usage due to the nature of the gathering.

Individual team or organization scheduled usage is a low priority on Sunday and should be avoided.

Open play or free play may use such facilities on a first-come, first-serve basis if not reserved.

4. TOURNAMENT FIELD RESERVATIONS IN COMMUNITY PARKS

This Commission recognizes the need for non Department sponsored activities for youth and adult citizens in community parks; also, that this is a viable recreational service for the local citizenry. Therefore, the Commission establishes the following policy:

Weekend tournaments may be operated in community parks so long as they do not conflict with Department sponsored programs/activities and with schedule permitting. It shall be the responsibility of the Director or his designee to determine if events conflict.

Fees due to Cobb County are determined by this Commission, while total tournament fees may be determined by the user/contractor

5. RECREATION CENTERS - PRIORITY OF USAGE

A. These facilities shall be open to the general public on a year-round basis. The specific hours of operation shall be determined, or adjusted, by the public usage of the facility. We will open less hours or more hours based upon public demand, and our staff resources to cover those demands. During a given week, no matter what season, there will be some "open gym" for the general public usage.

B. **Priority usage for the mid-November - March** time frame shall be for indoor activities/events--such as basketball. Departmental or Department-sponsored youth/adult programs/events shall have priority over outside group usage.

1. Priority usage during this time is for the scheduling of actual programs or competition (games).
2. Secondary usage during this time is for practices--scheduled practices shall have priority over "pick-up" practices at all times other than that designated as "open gym time" by the facility supervisor.
3. Any time designated as "open gym time" shall have priority over any league play or practice. This is in an effort to insure that the general, non-competitive public is not shut out of their recreation center, totally, for any specified time. (Note: we will at all times strive for no less than four (4) hours per week in "open gym time."

C. **Priority usage for April - mid-November**, shall be for general programming--and will accommodate both organized and non-organized usage.

Family reunions and other "private" usage shall be encouraged during non-peak usage time (such as Sunday). The facility shall be available on a fee-basis to groups other than the Cobb County Parks, Recreation and Cultural Affairs Department.

#### ARTICLE B - COMMUNITY PICNIC AREAS

It shall be the policy of this Commission that all picnic shelters be scheduled on a reservation basis. It shall be the duty of the district operation to issue picnic shelter permits.

Non-sheltered or mini-sheltered picnic areas, (usually tables, and/or grills), are to be utilized on a first come, first serve, basis.

#### ARTICLE C - SPECIALIZED USE FACILITIES

##### C1 - LAKE ACWORTH

It is the policy of this Commission that Lake Acworth will be available to the public at all times for unscheduled use. Any request for reserving the lake must be presented in writing to the Commission for consideration at their regularly scheduled monthly meeting. This does not include the Boulders Course at Lake Acworth or future golf courses or specialized facilities.

##### C2 - AL BISHOP SOFTBALL COMPLEX

It is the policy of this Commission that the Al Bishop Complex will be operated totally for use as a softball facility. Its primary usage will be for Department sponsored/co-sponsored adult and youth softball competition. Practice for teams will be scheduled only during the two weeks prior to the

start of the spring/summer leagues season. When available, groups may schedule the facility for major outings through contract on a fee basis. This use will not be allowed if it conflicts or competes with the existing operation.

#### C3 - CIVIC CENTER

Reservations for facility use, either Hudgins Hall or the Jennie T. Anderson Theater, if made by telephone, are to be followed by a written request.

Reservations are tentative until a contract is signed and the required deposit is paid. Tentative reservations will be held for at least five days. Reservations are to be made by the Director or his designee.

#### C4 - JIM MILLER PARK

It is the policy of this Commission that Jim Miller Park, as a special use facility, will be primarily utilized on a contract basis to various special interest user groups, both profit and non-profit. Special facilities within the park or the entire facility may be leased through a contract on a fee basis. Subletting of facilities is prohibited without the written permission of the Director or his designee.

#### C5 - GYMNASTIC CENTER

It is the policy of this Commission that the Gymnastic Center will be primarily used for competitive gymnastics programs. Secondary use will be for Department sponsored instructional programming and day camps. When time is available, the Center will be scheduled for outside gymnastic groups or organizations through a Facility-Use Contract, providing this use does not conflict or compete with the existing program. Use by such groups will not be allowed without acceptable supervision as determined by the Director or his designee.

#### C6 - AQUATIC FACILITIES

It is the policy of this Commission that Aquatic facilities in County parks will be programmed and scheduled so as to maximize usage by the citizenry. Primary usage will be three fold: Programming for lessons, public swimming and competitive swimming. All are scheduled as sufficient public demand and facility time dictate. When available, the pools will be reserved for private pool parties on a fee basis.

#### C7 - TENNIS FACILITIES

It is the policy of this Commission that tennis facilities (centers and satellite courts) in County parks be programmed and scheduled so as to maximize usage of available courts.

Primary usage will consist of Department sponsored tennis programming and scheduling of other organized use providing this use does not conflict or compete with existing programs.

All courts, when not scheduled with primary use, are available for walk-on play on a first-come, first-serve basis during set operating hours. Non-scheduled use is limited to one hour while others are waiting to play. Courts at tennis centers may be reserved prior to arriving at the Center.

#### C8 - GOLF FACILITIES

The Boulders Golf Course at Lake Acworth is a full enterprise operation having been constructed with revenue bonds issued by the Cobb Recreation Authority. Revenue from the operation must retire construction debt as well as pay for the course's annual operation. No general fund monies are to be used in support of the course.

The course is a full length, 18-hole course open to the public seven days each week unless closed for special maintenance or repair.

The Windy Hill Golf Course is a par 58, executive length course, constructed under a 30-year "concession agreement" by Club Development Associates, Inc. (CDA). It will be operated as a public, daily fee course by CDA for the length of the concessions agreement. At the end of the 30-year term, the course will belong to Cobb County.

Cobb County will receive five percent (5%) of the gross revenue, minimum \$5000 per month which will be deposited into a "golf operations fund" and used in support of the golf facilities.

C9 - Lost Mt. Softball Complex - Though designated a specialized facility, from March - July it is predominantly utilized by youth volunteer organizations for the provision of youth softball. From August - November, and on selected weekends, the facility is used by Adult Athletics for adult softball. Its design as an enclosed facility allows us to utilize the specialized facilities concept for fees and charges.

#### SECTION VII - FISCAL/PHYSICAL ASSISTANCE TO OUTSIDE GROUPS AND FACILITIES NOT OWNED BY THE BOARD OF COMMISSIONERS

The Commission has authority to conduct activities or assist as necessary in conducting activities on properties under its control, on public properties with the consent of the authorities thereof, and on private properties with the consent of the owners.

#### SECTION VIII - TEMPORARY CLOSING OF PARKS FACILITIES

The Commission, through the Director or his designee, has the

authority to close any park or portion thereof if it is in the best interest of the public and/or general upkeep of the facility.

**SECTION IX - OPERATIONS ON FACILITIES OWNED OR NOT OWNED BY  
THE BOARD OF COMMISSIONERS**

The Commission has authority to conduct activities or assist as necessary in conducting activities on properties under its control, on public properties with the consent of the authorities thereof, and on private properties with the consent of the owners.

**CHAPTER V**  
**POLICIES GOVERNING PROGRAMS, SPORTS**  
**AND OTHER ACTIVITIES IN COUNTY PARKS**

CHAPTER V  
POLICIES GOVERNING PROGRAMS, SPORTS  
AND OTHER ACTIVITIES IN COUNTY PARKS

**SECTION I - BASIC SERVICES**

**ARTICLE A - LEVEL OF PROGRAMMING**

It is the policy of this Commission to develop and maintain a leisure services delivery system that provides a comprehensive offering of programs, activities, and events to the general public on a County-wide basis. The financial resources allocated to the Department from the County General Fund are intended for the primary purpose of support to this level of endeavor.

Expansion and enhancement of this basic level effort to out-of-state involvements and more specialized levels of service will be financed from funds other than the annual allocation from the County General Fund.

**ARTICLE B - CODE OF BEHAVIOR IN COUNTY PARKS PROGRAMS**

Recreation users in activities within the boundaries of property under the jurisdiction of the Commission must be of a wholesome character, conventional, and not offensive to accepted ethics and concepts of moral decency, prevalent in Cobb County at any given period of time.

Furthermore, any group or individual failing to live up to these standards is subject to ejection, prohibition, or suspension through the Commission and/or Director or his designee.

**ARTICLE C - PARTICIPATION**

1. **MINIMUM ACCEPTABLE FOR YOUTH IN ATHLETIC PROGRAMS**

Each association using County facilities shall have posted its policy or rules on participation in a place where schedules, notices, etc. are usually posted and shall make copies of this rule readily available to all members or other interested parties upon request.

The Commission recognizes the need for a minimum acceptable participation clause for associations/groups utilizing Cobb County park facilities. The minimum acceptable standard requirements are as follows: (Does not apply to all-star competition).

- \* **Youth Track** - All participants in each meet that he/she attends must compete in at least one event. In addition each participant must compete in at least one local meet prior to the County Meet, to be eligible for County competition. Maximum limits may be determined annually by league by-laws.
- \* **Youth Softball** - Each participant must play at least two complete innings and come to bat at least once in every game that goes the regulation number of innings.
- \* **Youth Baseball** - Each participant must be allowed to participate in at least two innings and come to bat at least once in every game that goes the regulation number of innings. Each youth association is required to accept a minimum of 208 individuals per contracted field in the 12-year old and under leagues.
- \* **Youth T-Ball** - Each participant must be allowed to participate a minimum of one-half game in every game he/she attends.
- \* **Youth Basketball** - Each participant must be allowed to play a minimum of one uninterrupted quarter of each game he/she attends.
- \* **Youth Flag Football** - Each participant must be allowed to participate a minimum of two complete quarters of each game he/she attends.
- \* **Youth Tackle Football** - Each participant must be allowed to participate in a minimum of eight plays in each game he/she attends.
- \* **Youth Soccer** - Each participant must be allowed to participate in one-half of each game that he/she attends.
- \* **Youth Swimming** - Teams are required to allow each swimmer to compete in each meet in either regulation or exhibition heats. Swimmers must compete in at least one regular season meet to be eligible to compete in the County Meet.

2. LIMITED PARTICIPATION FOR YOUTH BASED ON PARENT'S ACTIONS OR INACTIONS PROHIBITED

The Commission hereby prohibits any association, group, or other organization from limiting youth participation, either totally or partially, based solely on the actions or inactions of his/her parents.

## ARTICLE D - REGISTRATION

### 1. PROCESS

#### **A. Group or Volunteer Organization**

Each group or association making use of County park facilities is responsible for organizing and operating their own registration process and/or process set-up by staff. All registration must comply with the guidelines set forth in this document. (Chapter IV, Section I, II.)

Each youth association is required to accept a minimum of 208 individuals per contracted field in the 12-year old and under leagues.

Furthermore, pre-registration data as well as post-registration data is required to be submitted to the administrative offices at a time requested by the staff.

Each association must provide:

A list of all officers, copy of by-laws and financial information at registration and throughout season, etc.

Each association using County facilities shall have a current copy of its most recent financial statement and shall have copies readily available to all members or other interested parties.

#### **B. Returning Team Consideration/Adult**

Returning team(s) considerations to be placed in a league as a "returning team" are as follows:

- \* **Industrial League Team** - First choice to company or sponsor of previous year. Second choice - none - forfeit slot.
- \* **Church League Team** - First choice to church sponsor of previous year. Second choice - none - forfeit slot.
- \* **Open League Team** - First choice to previous year's manager. Second choice to five or more players of previous year's roster.
- \* **Coed League Team** - First choice to previous year's manager. Second choice to five or more players of previous year's roster.

- \* **Recreation League Team** - First choice - sponsor of previous year. Second choice - none - forfeit slot.

## 2. FEES

### A. **Department Programmed Activity**

The Commission has authority to determine and set fees for programmed activities offered directly by the Department in County parks and/or special use facilities.

### B. **Outside Groups**

Each group, association, or organization utilizing County parks is responsible for determining needs and ultimately for setting necessary fees for programs offered under their administration.

However, this Commission retains the right to monitor all fees and charges and ensure that such are not extreme or excessive and that they do not exclude participation based on such.

A mandatory Non-Resident Fee shall be charged to all individual and team/group registrants participating in County sanctioned league play and programs. The Non-Resident portion of the registration fee shall be calculated at a rate of twice the current registration fee. The Non-Resident Fee shall not exceed more than \$25.00 for an individual or \$200.00 for a team above the current registration fee. The Non-Resident portion of the total registration fee shall be paid directly to the Cobb County Parks, Recreation and Cultural Affairs Department.

## ARTICLE E - FINANCIAL ASSISTANCE TO ATHLETIC TEAMS, TRAVEL

It is the prescribed policy of this Commission to prohibit the use of the Department funds from the annual operating budget for out-of-county travel for any athletic programs, due to the inability of Cobb County to adequately fund **all** programs that utilize Cobb County Park, Recreation and Cultural Affairs facilities in an equitable manner.

## SECTION II - SPECIAL SERVICES/FACILITIES

### ARTICLE A -SPECIAL SERVICES POLICY

#### A1 - POLICY

It is the policy of the Commission "to provide leisure services and facilities to the public through the tax supported general fund while providing special leisure services through user fees and charges."

It is the intent of this Commission that all fees and charges collected will be used exclusively for the delivery of special leisure services. This operation requires that standard business practices be used to properly account, control, and maximize use of all collected funds and resources.

#### A2 - SIMILAR EVENTS IN COUNTY PARK FACILITIES

"It is the policy of the Commission that no two competing shows/events (antique, gem collectors, etc.) at the Civic Center shall be booked within two weeks of each other at the Civic Center or within two weeks of an event at Miller Park.

It is the intent of this policy that an event at either facility will prevent a competing event from being scheduled at either or both facilities within two weeks. Further, it is the policy of the Commission that no two competing shows/events grossing \$50,000 or more at the Jim R. Miller Park or the Cobb Civic Center shall be booked within sixty days prior to or thirty days following each other. It shall be the duty of the Director or his designee to determine what events/programs to be "competing" and therefore restricted."

#### A3 - USER FEES ESTABLISHED

It is the policy of the Commission that the authority to establish all user fees for activities directly programmed by the Department rests with the Commission itself. It is further the policy of this Commission that all user fees be established to allow special services, programs, operations, or facilities to be self-sufficient, and generate a designated per cent of Excess Revenue Over Program Expenditure. This Policy is designed to generate an Excess Revenue Over Program Expenditures or EROPE, which will be used to offset overhead expenses of programs and facilities, and enhance the revenue producing capabilities of these specialized activities.

Additionally, this Commission maintains a policy that all fees/charges for Department programmed activities/facilities shall provide a discounted rate system for senior citizens of Cobb County.

Senior citizens are defined as residents that are identifiable as having reached 60 years of age.

#### A4 - SENIOR CITIZENS DISCOUNT POLICY

It is the policy of this Commission that any Department sponsored program offered at an existing or future Department

owned facility (Civic Center, Al Bishop Complex, Aquatic Center, Jim Miller Park, etc.) shall offer a 25% admission discount to any person who is readily identifiable as a senior citizen, under the criteria in Paragraph 3. This shall exclude Special Populations Unit programming which is already on a "break-even" basis.

This shall also exclude any major event, such as national softball tournaments, where the Director or his designee deems that the potential revenue loss would severely hamper the Special Services fee's policy to cover expenses or programming. This will also exclude any non-department sponsored activity. The Commission will take applications from citizens of Cobb County, 60 years and older, who have contributed significantly to the Department for lifetime-free admission cards which would exempt them from payment at Cobb County Parks, Recreation and Cultural Affairs Department facilities and programs. Each application will be considered on an individual basis by the full Recreation Commission.

#### ARTICLE B - CIVIC CENTER OPERATIONS

##### B1 - FEES AND CHARGES

The Cobb Civic Center was constructed to provide and maintain facilities for programs and events relating to the entertainment, cultural, athletic, educational, recreational and business pursuits for the citizens for Cobb County and surrounding area. It produces revenue through lease of the exhibit hall and theater for various, facility-appropriate uses.

Reservations for facility use, either Hudgins Hall or the Jennie T. Anderson Theater, if made by telephone, are to be followed by a written request.

Reservations are tentative until a contract is signed and the required deposit is paid. Tentative reservations will be held for at least five days.

Reservations are to be made by the Manager or his designee.

Fees are charged to all tenants except for those events sponsored or co-sponsored by the Parks, Recreation and Cultural Affairs Department, events sponsored by other Cobb County Departments or the City of Marietta. (City of Marietta events are exempt as a result of the initial funding agreement to construct the Center.) Co-sponsorship of events by the Department shall only be considered when the event is consistent with the mission and activity of the Department.

Fees and charges for facility rental and equipment rental are

set by this Commission.

## B2 - EQUIPMENT RENTAL/ATTENDANT SERVICES

Equipment (when available) will be provided to the user as needed. A rental fee for the use of this equipment will be charged. Lessee will be responsible for damaged items. Request for additional services during an event which requires special personnel will be supplied with lessee assessed a fee to cover this cost. Additional personnel and/or equipment rates will be determined by the Recreation Commission or the Director.

## B3 - SECURITY

Civic Center lessees shall provide an adequate number of Cobb County Park Rangers for security. The number shall be determined by the Director or his designee.

## B4 - PARKING

Rental of the Civic Center does not include any space or accommodation other than those listed on the contract, either inside or outside of said building(s), and specifically does not include any parking space adjacent to or near the Civic Center, whether the same is owned by the County of Cobb or not.

No fee will be charged for parking at the Cobb County Civic Center.

## B5 - RESERVATION PROCEDURE

The Director or his designee sets the procedure for reserving the Cobb County Civic Center subject to approval by the Commission.

## B6 - USE OF MARQUEE

The Director through his designee shall have the responsibility for decisions regarding the use of the marquee, wording, and priorities for event advertisement. The Civic Center management will use rules and regulations promulgated by the Director as the final authority in such decisions.

## B7 - INSURANCE

\*The Lessee hereby releases said County, the County Board of Commissioners, Cobb Parks and Recreation Commissioners, Cobb County Employees, agents or volunteers from any and all damages to persons or property during its use of said building, grounds and equipment. Lessee agrees to indemnify

and pay to the County of Cobb for any damages to its property resulting from the use of said building, grounds or equipment by lessee. Lessee also agrees to indemnify and hold harmless the County and its agents against any and all claims which may be made against the County, or its agents, for property damage or personal injuries sustained by any person, including the Lessee and Lessee's privies, which may result from the use of said building, grounds or equipment by lessee. The indemnifications herein agreed to by the Lessee shall include indemnification for negligent acts of the County or any of its agents, servants, volunteers or employees. Commercial lessees, and lessees charging admission, taking orders or selling merchandise agree to carry comprehensive liability insurance in a company authorized to do business in Georgia of not less than \$500,000 for bodily injury to any one person and \$1,000,000 for bodily injury from any one accident and \$100,000 for property damage any one accident, to protect Lessee and the County of Cobb against property damage and personal injury claims and to present such policy or certificate of insurance to Civic Center Park management 30 days prior to the scheduled event; if not, this lease will be deemed cancelled.

Any deviations from the above requirement by Civic Lessees must be approved in writing, at least 60 days in advance of event, by the Cobb County Recreation Commission.

#### ARTICLE C - JIM MILLER PARK OPERATIONS

##### C-1 FEES/CHARGES

It is the policy of this Commission that fees and charges be assessed to users (lessee) of this facility to offset the direct cost of providing the facility for special activities.

Exact fees and charges will be set by the Commission.

##### C2 - EQUIPMENT RENTAL/ATTENDANT SERVICES

Equipment (when available) will be provided to the user as needed. A rental fee for use of this equipment will be charged. Lessee will be responsible for damaged items. Request for additional services during an event which requires special personnel will be supplied with Lessee assessed a fee to cover this cost. Additional personnel and/or equipment rates will be determined by the Recreation Commission.

##### FEES AND CHARGES FOR CONCESSIONS AT JIM MILLER PARK

The Cobb County Parks, Recreation and Cultural Affairs Department offers a full-range Concessions operation to meet the need of any event. However, in an effort to acknowledge

the unique needs of groups, which are legally "not-for-profit," and wish to use the facility for fund-raising, the following Concessions options are offered.

1. Full range of concessions totally provided by the Department (as the Department currently operates).
2. 70%/30% split, Department/Lessee, of gross profit from the Department's concession booth will be given to the Lessee in return for his provision of volunteer manpower to operate the concessions stand under concessions staff supervision.
3. The Department will sublet concessions rights to the Lessee for a flat fee of \$150 per day. The Lessee may bring in any concessionaires or mobile stands, and/or have access to any unoccupied booth (not the Department's booth).

#### C3 - SECURITY

All security will be arranged through the Park Ranger Division with lessee paying for this service through the Department. Security needs and requirements will be determined by the Director or his designee.

#### C4 - PARKING FEES

It is the policy of this Commission that no permanent parking fee will be established or charged. However, in the event that a specific activity dictates a need for a parking fee, a fee can be established and charged for that specific event only. The Department reserves all rights to parking and concessions.

#### C5 - USE OF MARQUEE

The Director through his designee shall have the responsibility for decisions regarding the use of the marquee, wording, and priorities for event advertisement. The Jim Miller Park management will use rules and regulations promulgated by the Director as the final authority in such decisions.

#### C6 - INSURANCE

\*The Lessee hereby releases said County, the County Board of Commissioners, Cobb Parks and Recreation Commissioners, Cobb County employees, agents or volunteers from any and all damages to persons or property during its use of said building, grounds and equipment. Lessee agrees to indemnify and pay to the County of Cobb for any damages to its property resulting from the use of said building, grounds or equipment

by lessee. Lessee also agrees to indemnify and hold harmless the County and its agents against any and all claims which may be made against the County, or its agents, for property damage or personal injuries sustained by any person, including the Lessee and Lessee's privies, which may result from the use of said building, grounds or equipment by lessee. The indemnifications herein agreed to by the Lessee shall include indemnification for negligent acts of the County or any of its agents, servants, volunteers or employees. Commercial lessees, and lessees charging admission, taking orders or selling merchandise agree to carry comprehensive liability insurance in a company authorized to do business in Georgia of not less than \$500,000 for bodily injury to any one person and \$1,000,000 for bodily injury from any one accident and \$100,000 for property damage from any one accident, to protect Lessee and the County of Cobb against property damage and personal injury claims and to present such policy or certificate of insurance to Jim Miller Park management 30 days prior to the scheduled event; if not, this lease will be deemed cancelled.

Any deviations from the above requirement by Civic Lessees must be approved in writing, at least 60 days in advance of event, by the Cobb County Parks and Recreation Commission.

#### ARTICLE D - AL BISHOP COMPLEX

##### D1 - FEES/CHARGES

It is the policy of this Commission in this facility to offset the direct cost of providing facility programming plus programming administrative overhead. Exact fees for league and tournament registration, admission, etc., will be established by the Commission.

##### D2 - EQUIPMENT RENTAL

It is the policy of this Commission that special revenue-producing facilities within Al Bishop Complex may be provided. Rental time on such facilities will be available for a fee.

##### D3 - SECURITY

General security for the facility will be provided through Park Ranger zone patrols. Special events, tournaments, etc., may require additional security needs which will be scheduled through special request and will be determined by the Director or his designee.

##### D4 - PARKING

It is the policy of this Commission that no permanent parking fee will be established or charged. However, in the event that a specific activity dictates a need for a parking fee, a fee can be established by this Commission and charged for that specific event only. The Department reserves all rights to parking and concessions.

#### D5 - SCHEDULING PRIORITY

It is the policy of this Commission that programming at Al Bishop Complex will be divided into two primary categories:

1. League play, and
2. Tournaments

League play will receive priority scheduling, Monday through Thursday, and priority scheduling for tournaments will be Friday through Sunday, throughout the season. Special tournament/events conflicts may require temporary priority adjustments. Needs for adjustments will be determined by the Director or his designee.

#### ARTICLE E - CONCESSION OPERATIONS

##### E1 - CONCESSION POLICY

The policy of this Commission is to afford non-profit community park user groups the opportunity to financially support this program through the sale of concession items. Private, non-profit recreation organizations having use of Department community park facilities through an annual Park-Use Contract, will have first priority on running concession operations in that facility for the hours and terms of the agreement. Non-profit organizations are totally responsible for all State and County health laws, codes, ordinances, business licenses, etc.

In the event the user group chooses not to run concessions, the Department may, at its option, provide this service. The user group may not sublet its concession right to any individual or group without the written permission of the Director or his designee. Concession operations in special facilities within the parks system will be provided by the Department concession staff.

In the case of special events or activities, the Director or his designee may, for a fee, issue a concession permit to other vendors (private or non-profit). This permit may be issued only if it does not conflict with the above priority usage and may be issued only for a specific event.

##### E2 - CONCESSION STAND OPERATIONS

#### E-2A - FEES FOR DEPARTMENT CONCESSIONS

It is the policy of this Commission that the authority for establishment of all fees rests with the Commission itself. Due to the profit oriented nature of the Concessions operation, and the rapidly changing costs of products, the Commission delegates the authority to set concession operation prices to the Director or his designee.

#### E-2B - FEES FOR USER GROUP CONCESSIONS

It is the policy of this Commission that user groups/boards operating in-park concession operations have the authority to set all prices for their operation.

#### E-2C - CONCESSION OPERATION EQUIPMENT

Volunteer Organizations operating concession stands in County parks will be responsible for providing, operating, and upkeep of any concession equipment necessary for their operation. The Department assumes no responsibility or liability for any organization's concession equipment or health violations.

#### E-2D - JOINT USAGE OF CONCESSION FACILITIES

The Concessions Policy (V/II/EI) of this Commission allows for the possibility that two groups may share the same concession stand. It is the intent of this Commission that groups having joint usage cooperate with each other in determining specifics in sharing of equipment, control of product, etc.

#### E-2E - COMMON SEASON

Groups having joint usage during a common season will share the stand based upon days and hours of the Park-Use Contract.

Control, separation, and secured storage of products will be the responsibility of the user groups. Sharing of equipment will be determined per common agreement of the groups involved.

#### E-2F - SEPARATE SEASONS

Groups having joint usage during separate seasons may, upon common agreement, share equipment. If such an agreement is reached, the regulations requiring removal of equipment at season's end may be waived by consent of the Director or his designee.

#### E-2G - HAWKING, PEDDLING, SALE FROM VEHICLES

It is the policy of this Commission that the sale of items in County parks not in compliance with the above regulations will be prohibited. Vendors, without written permission, will not be allowed. Groups operating concessions may peddle concession stand items through the stands during their contracted times. Peddling may not extend beyond the area the permanent stand is designated to serve.

**CHAPTER VI**  
**POLICIES GOVERNING DESIGNATED USE OF**  
**COBB COUNTY PARK FACILITIES**

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**POLICIES GOVERNING DESIGNATED USE OF**  
**COBB COUNTY PARK FACILITIES**

**SECTION I - BOATING**

This Commission adopts the following policy in regard to boating in and upon properties controlled by the Parks, Recreation and Cultural Affairs Department.

**ARTICLE A - DEFINITIONS**

"Boat" refers to any device in or upon which persons or property may be carried over or beneath the surface of water.

**ARTICLE B - ALLOWED USAGE**

Boats are not allowed upon any water body in the Cobb County Parks system, with the exception of Lake Acworth.

**ARTICLE C - SPEED LIMIT/POWER SOURCE**

On Lake Acworth, only, the following will apply:

1. Gasoline or diesel units are prohibited.
2. The speed limit shall not exceed 10 m.p.h.
3. Exception: law enforcement vehicle or equipment.
4. Model boats are prohibited.

**ARTICLE D - RULES**

All craft must comply with rules and regulations of the Georgia Department of Natural Resources, Internal Administrative Division, "License/Boat Registration."

**ARTICLE E - SWIMMING FROM BOATS PROHIBITED**

No swimming or diving from boats is allowed in County Park waters.

**SECTION II FISHING**

**ARTICLE A - PERMITTED**

Fishing is permitted in the following bodies of water under the control of the Department.

1. Lake Acworth (L)
2. Thompson Park (P)

3. Wild Horse Creek Park (P)
4. Lost Mountain Park (P)  
(with written permission from the Director)
5. Al Bishop (P)

(L) Lake (P) Pond

#### ARTICLE B - PROHIBITED

Fishing is prohibited in any other streams, lakes, ponds, or bodies of water under the control of the Department.

#### ARTICLE C - LICENSED

All fishermen must comply with rules and regulations of the Georgia Department of Natural Resources, Internal Administrative Division, "License/Boat Registration."

#### SECTION III - CAMPING

##### ARTICLE A - PERMITTED

The Director or his designee has permission to authorize camping on Cobb County Park property, through written procedures, in areas designated for such purposes.

##### ARTICLE B - CONTINUOUS PERMITS

This Commission forbids any continuous camping permit for longer than a nine-day period. However, a new permit may be issued if conditions permit.

##### ARTICLE C - ABANDONED EQUIPMENT

Camping equipment unattended for more than a 24-hour period is abandoned. If such equipment is left unattended, after 24 hours it is subject to impoundment.

##### ARTICLE D - PARKING CAMPERS, RVS, ETC.

At Jim Miller Park, for multiple day events, the lessee is responsible for the payment of a fee as set by the Recreation Commission for parking each camper, RV, etc. with hook ups (water and/or electricity). The lessee and lessor's representative shall count such units together to ascertain the number, and full payment shall be made on the first day of the event.

For multiple day events the lessee is required to have security as determined by the Director or his designee in conjunction with lessee.

#### **SECTION IV - ENGINE POWERED MINIATURE MODELS AND TOYS**

##### **ARTICLE A - ENGINE POWERED/CHEMICALLY POWERED MINIATURE MODELS PROHIBITED**

Engine powered miniature models, toys, airplanes, chemically powered rockets, boats, or cars, sirens, or other noise making devices are not permitted to be operated within the confines of the park property, except in areas designated by the Commission, Director, or his designee.

#### **SECTION V - EQUESTRIAN AREA**

##### **ARTICLE A - EQUESTRIAN SHOWS/RODEOS**

Equestrian shows/rodeos using County equestrian areas should comply with all policies of the Commission set forth in this manual and otherwise implied.

##### **ARTICLE B - HORSES PROHIBITED ON AREAS NOT DESIGNATED**

It shall be unlawful for any person to ride and/or lead a horse, pony, or mule upon any property administered by or under the jurisdiction of the Commission except in specifically designated and properly posted areas or bridle paths, or by permit by the Commission, Director, or his designee.

##### **ARTICLE C - VEHICLES/BRIDLE PATHS**

Vehicles should yield right of way to any horse on marked bridle paths where such paths cross street and roadways.

#### **SECTION VI - BICYCLE USAGE**

##### **ARTICLE A - OPERATIONS**

Bicycles shall be operated as closely to the right hand curb or right hand side of the path, trail, or roadway as conditions will permit.

##### **ARTICLE B - BICYCLE MOTOCROSS**

Groups, associations, or organizations utilizing the Bicycle Motocross (BMX) Track are responsible for controlling bicycles on and around the BMX course/race. This includes the reckless riding along roadways and streets as well as in non-authorized riding areas.

**CHAPTER VII**  
**ADVERTISING AND SIGNS**

## CHAPTER VII ADVERTISING AND SIGNS

### SECTION I - BILLS, NOTICES, PROHIBITED

No person shall expose, distribute, or place any sign, advertisement circular, notice, or statement, or display any banner, emblem, or design within any park without permission from the Director or his designee.

### SECTION II - UNIFORM SIGNAGE OF AND IN COBB COUNTY PARKS

The Department will establish a uniform park signage system that will provide for consistency throughout the Cobb County Park system. These signs will include, but not be limited to, such signs as park entrance, speed limit, stop/slow signs, handicapped signs, etc., and shall comply with all laws, codes and ordinances of the State of Georgia and Cobb County.

### SECTION III - MOBILE OR PORTABLE SIGNS PROHIBITED

Mobile or portable signs on park property are prohibited. Emergency use allowance can only be approved by the Commission at a regularly scheduled meeting. Exception: Organizations using community parks may request a sign permit for the sole purpose of posting registration information. This permit may not exceed 30 days and must be removed within five (5) calendar days of last official registration date.

### SECTION IV - ADVERTISING SIGNS

- A. Al Bishop Complex: Corporate sponsorships are necessary for the continued quality of operation of the Al Bishop Complex. Therefore, temporary advertising is approved for display during the time the corporate sponsorship is in effect. These are permitted subject to approval by the Director or his designee.
- B. Community Parks: Sponsorship signs or banners are not permitted in community parks, unless displayed on County approved sponsor boards. Signs must be removed no later than 30 days after the ending of their contract.
- C. Civic Center: Signs within the Civic Center or upon the Civic Center are permitted only during times the facility is rented by appropriate sponsor. Permission is granted by the Director or his designee.
- D. Jim Miller Park: Signs within Jim Miller Park are

permitted during program/event only. Permission is granted by the Director or his designee.

- E. Tennis Centers: Signs within the tennis center boundaries are permitted during program event only. Permission is granted by the Director or his designee.
- F. Offensive signs prohibited: The Director or his designee has the authority to prohibit any signs, banners, etc., based on the signs being offensive or of poor design or construction.

#### **SECTION V - PENNANT TYPE SIGNS (CHAMPIONSHIP SIGNS)**

Pennant type signs are permitted in community parks following the season of that particular sport the pennant was won, **ONLY**. These signs can be used only one season after the pennant was won by group, association, or organization.

Any exception must have written permission by the Director or his designee.

#### **SECTION VI - SCOREBOARDS**

Recognizing the fact that a donation of scoreboards, and annual upkeep of such, are a substantial financial commitment to the Department and that such items are not mobile nor easily removed after each season, the Commission hereby agrees to approve such substantial donations to park properties.

These are subject to permission (on new installation) by the Commission, Director, or his designee.

**CHAPTER VIII**  
**TRAFFIC AND PARKING IN PARKS AND**  
**PARKS FACILITIES**

**CHAPTER VIII  
TRAFFIC AND PARKING IN PARKS AND  
PARKS FACILITIES**

**SECTION I - HANDICAPPED ZONE RESERVED**

Persons who do not have the proper permit or tag shall not be allowed to park in any parking spots designated and properly marked for handicapped persons.

(This section is enforceable under Georgia Law, Section 40-6-221 through 40-6-225, and any violation of this section of Georgia State Law is a misdemeanor and punishable as such.)

**SECTION II - PARKING AND DRIVING ON PAVED AREAS**

It shall be unlawful for any persons to drive or ride any vehicle upon or across any part of any public park of Cobb County except upon roadways laid out and maintained for vehicular travel. No vehicle shall operate at speeds in excess of 15-miles per hour in any Cobb County Park or facility.

Parking of motorized vehicles shall be permitted in the public parks of Cobb County as long as such parking is in accordance with the traffic law rules and regulations of the Uniform Rules of the Road Act, and occupants of motorized vehicles do not create a disturbance or violate any law or ordinance of the State of Georgia between the hours of 12:01 a.m. and 7:00 a.m. daily.

No person shall park any vehicle on Cobb County park property when such person is not a user of the park or any of its related facilities.

**EXCEPTIONS:** This policy does not apply to authorized emergency vehicles, nor does it apply to park employees, organization volunteers, and/or contractors whose duties require them to drive maintenance equipment over said park as authorized by the Director or his designee. This policy shall not apply to areas, roads, trails, or paths which may be set aside by the Director for the use of specifically designated vehicles.

**SECTION III - OVERNIGHT PARKING**

Overnight parking in Cobb County park facilities will be allowed with the expressed permission of the Director or his designee. This is in reference to groups that utilize County parks as a meeting point for Department sponsored trips, tours, etc. Parking must be in appropriate spaces when available, shall not conflict with facility use and shall be approved by the Director and Department representative for

managing said facility.

#### **SECTION IV - REPAIRING/SERVICING OF VEHICLE PROHIBITED**

No person shall drive or park any vehicle on any Cobb County Park property for the purpose of making repairs or for servicing of such vehicle.

#### **SECTION V - MOTORCYCLES, OFF-ROAD VEHICLES**

No person shall drive any motorcycle, or off-road vehicle upon any Cobb County Park facility unless said vehicle bears the proper Georgia license plate for said vehicle, and the driver of said vehicle is equipped with all safety equipment required by law for operation of such vehicle upon the roads and highways of the State of Georgia, and all drivers of all motorcycles must have a headgear approved by the Georgia Department of Public Safety, and must wear same when operating motorcycle upon any roadway in the State of Georgia or Cobb County.

Motorcycles will not ride more than two abreast on any Cobb County Park Roadway.

No motorcycle or off-road vehicle licensed to operate specifically off of public road will be allowed to operate on any property belonging to the Board of Commissioners. (Georgia State laws for enforcement of this policy are from Georgia Traffic Laws 1982 edition, pages 214, 215, and 216, Code Section 40-6-310 through 40-6-316 and Ordinance of Cobb County.)

#### **SECTION VI - NON-LICENSED MOTORIZED VEHICLE PROHIBITED**

No person shall operate any motorized vehicle upon any property of the Department without obtaining the proper license for said vehicle as prescribed by law.

No person shall operate any go-cart, mini-bike, or similar non-licensed motorized vehicles on any park property without written permission of the Director.

#### **SECTION VII - SPEED BREAKERS IN COUNTY PARKS AS TRAFFIC CONTROL DEVICES**

The Director shall recommend to the Commission the installation of speed breakers in the parks of Cobb County on an as-needed basis for the control of traffic and safety of park users.

The speed breakers must conform to all standards as set by the Federal Highway Act, the Georgia Department of Transportation, and any local Cobb County ordinance prescribing to height, width, and installation of speed

breakers.

**CHAPTER IX**  
**WILDLIFE/ANIMALS IN COUNTY PARK FACILITIES**

**CHAPTER IX**  
**WILDLIFE/ANIMALS IN COUNTY PARK FACILITIES**

**SECTION I - WILDLIFE/BIRDS PROTECTED IN COUNTY PARKS**

No person using any of the parks or park facilities of the Department shall be allowed to hunt, molest, frighten, kill, trap, harm, chase, tease, shoot, or throw missiles at any animal, reptile, or bird; nor shall he have in his possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird.

FEEDING: To give or offer or attempt to give any animal or bird any tobacco, alcohol, poisons, or other known toxic substances is prohibited.

EXCEPTION to the foregoing is made in that snakes known to be deadly poisonous, such as rattle snakes, moccasins, coral snakes, or other deadly reptiles may be killed on sight.

**SECTION II - COUNTY LEASH LAW**

No person shall bring into, or permit any dog, cat, or other animal to enter any Cobb County Park unless such animal is securely leashed. Leashes or ties on dogs in the parks shall not exceed six feet in length.

No dog, cat, or other animal, even when securely leashed, shall be permitted at any swimming pool, bathing beach, within the confines of any athletic field, or in the concession stand, of any Cobb County Park.

All sections of the Cobb County Animal Control Ordinance will be strictly enforced by the Cobb County Park Rangers on any park or park facility.

Dogs, cats, horses or other animal shows/events shall be held only at Jim Miller Park or at a community park where specialized use facilities have been designed and constructed for these activities.

Persons who have obtained the proper permit or lease from the Director or his designee to exhibit wild animals and have obtained a permit from the State of Georgia, Department of Natural Resources, are exempt from the above stated policy. The exhibitor must obey all laws and regulations of the Georgia Game and Fish Code in exhibiting such wild animals.

**SECTION III - ANIMALS IN INDOOR RECREATION FACILITIES**

Dogs, cats, horses, and all other animals are prohibited in

any indoor specialized facility.

**CHAPTER X**  
**FACILITY DEVELOPMENT**

**CHAPTER X**  
**FACILITY ACQUISITION AND DEVELOPMENT**

**SECTION I - MASTER PLAN OF PARK FACILITIES**

**ARTICLE A - POLICY ON ADOPTING SUCH ON EACH FACILITY**

It is the policy of the Commission that each park shall have a professionally prepared master plan of development. The views of citizens, civic and service clubs, government agencies and other groups, volunteer organizations, and community interests shall be solicited at public hearings prior to the preparation of the plan.

The Master Plan for each park upon completion shall be presented to the Commission. Members of the Commission shall at a public meeting within 45 days approve or disapprove said plan. A simple majority of Commissioners present at said meeting is required for formal action on the Master Plan. Once accepted by the Commission, the Master Plan shall be forwarded to the Board of Commissioners for their consideration. The Master Plan, once adopted by the Board of Commissioners, shall be the guide for development of the park, unless and until it is formally changed as hereinafter provided.

**ARTICLE B - CHANGES IN SUCH**

Any suggested permanent change of an adopted Master Plan shall be addressed to the Director in writing and then forwarded to the Commission for their consideration at the next regular Commission meeting. The Chairman shall read the submitted document at said meeting and shall request the petitioner to answer questions regarding comments on said plan. After consideration of the comments, suggestions, or recommendations, the Commission shall take action within 45 days. Upon approval by a simple majority of Commissioners present, the Master Plan will forever be amended to include said changes.

**SECTION II - NEW CONSTRUCTION PROJECTS**

**ARTICLE A - AUTHORITY TO IMPROVE/BEAUTIFY PARKS**

Any suggested minor change or non-permanent change that does not affect the integrity or intent of the approved Master Plan may be acted upon by the Director. Before any change can take place, a detailed plan must be prepared and submitted to the Director and said plan will remain on file to help ensure strict compliance with the intent of any change.

Unauthorized improvements may be removed by the Department at its discretion.

All permanent construction financed by donations or with public monies must be in keeping with the adopted park Master Plan.

#### ARTICLE B - FIELD/FACILITY DEVELOPMENT

The Commission, as a matter of policy, welcomes construction proposals in keeping with the adopted Master Plan of a park.

All such proposals shall be received and acknowledged at a regular meeting of the Commission. The acceptance and implementation thereof must be approved by formal vote of the Commission before construction may begin.

If a construction proposal does not comply with the adopted Master Plan, amendment of the Master Plan must take place before construction may commence. Amendment procedures of a Master Plan are outlined in earlier sections of this manual.

Unauthorized improvements may be removed by the Department at its discretion.

It is recognized and thoroughly understood by any sponsoring group that all structures constructed in whole or in part are the sole property of the Department. It is further recognized that the public will have general access to the facility during operating hours except for special occasions when the facility has been reserved by a Park-Use Contract or other Departmental reservation system.

#### ARTICLE C - LIGHTING IMPROVEMENTS

The Commission adopts a policy that only state-of-the art, energy-efficient lighting systems will be used in any park. When any lighting renovation takes place in a park, or when fixture replacement is mandatory, the most suitable energy-efficient replacement will be used.

This Commission retains the authority in considering approval of any future or additional outlets or electrical devices that once added to a park/park facility or concession area, may increase or does increase the annual electrical/utility costs to the Department.

#### ARTICLE D - DUGOUTS

All dugouts on Cobb County's present or future athletic fields will be constructed on level ground, enclosed only by 9-gauge chain-link fencing, and no permanent roof will be

constructed.

#### ARTICLE E - STORAGE STRUCTURES

All future storage structures constructed on Cobb County park properties must be built on a location approved by the Recreation Commission and must meet design standards established by this Department which address vandalism and long-term maintenance.

#### ARTICLE F - SCORE STRUCTURES

It is the policy of Cobb County Recreation Commission that no future score structures will be allowed to be constructed in any Cobb County park. Portable structures are permitted as designed by the Cobb County Parks, Recreation and Cultural Affairs Department.

Grandfather clause allows for continued usage of existing structures; however, any design changes, remodeling, or redevelopment of said structure will be subject to approval by the Cobb County Recreation Commission.

### SECTION III - NAMING OF COUNTY FACILITIES

#### ARTICLE A - PARKS, FIELDS

Any suggested name for a Cobb County park, athletic field, or any other park facility shall be directed to the Commission by letter. The Chairman shall call together an appropriate committee to review any and all suggestions and make a recommendation to the entire Commission at the next regular meeting or within 45 days. Said committee will base its recommendation on input from the staff, community, or other affected organizations. Each proposal will be handled on an individual basis with a separate recommendation on each request made to the Commission. A simple majority vote of those present at the Commission meeting can approve the resolution. Only after formal approval by the Commission will said name be recognized for a parks facility.

#### ARTICLE B - PARKWAYS/ROADWAYS, IN COUNTY PARKS

For naming purposes, be it known that all streets contained within a park are designated as "parkways." Further be it known that parkways will be named after members of the Cobb County Board of Commissioners. This policy will include past and present members of the Board of Commissioners.

### SECTION IV - ACCEPTANCE OF GIFTS OR REAL PROPERTY, REQUESTS AND CONTRIBUTIONS

It is the policy of this Commission to accept gifts of land, waters, buildings, monuments, and other real property in the name of Cobb County, provided that such donations meet location, size, access, topographical, and other requirements consistent with the parks needed for the citizens.

## **CHAPTER XI**

### **MISCELLANEOUS PARK OPERATIONS**

CHAPTER XI  
MISCELLANEOUS PARK OPERATIONS

**SECTION I - DONATIONS/ADMISSIONS**

**ARTICLE A - COMMUNITY PARKS/FACILITIES**

Admission fees into community parks/facility, or any portion thereof, are prohibited. However, reasonable donations to activities are permitted if users are informed that this is strictly on a voluntary basis. No individual may be denied admittance based on non-payment of the donation.

Groups, associations, or organizations are responsible for any donations received. The Commission reserves the right to review any fees, charges, and receipts thereof at any time it so desires.

**ARTICLE B - REVENUE PRODUCING FACILITIES**

1. **DEPARTMENT PROGRAMMED ACTIVITY**

Admission fees are allowed in revenue-producing facilities. The Commission has sole authority to set fees on admission into activities under control of the Department.

2. **OUTSIDE GROUP SPONSORED**

Promoters or other users in other revenue producing facilities are allowed to determine their respective appropriate admission fee.

**SECTION II - NOISE CONTROL POLICY**

No person, association, lessee or organization may cause a public address device, radio, phonograph, tape recorders, musical instruments, noise makers, or other such devices to be used in any park at a volume audible beyond their immediate area, within reason. EXCEPTION: National or Regional Tournaments, BMX or Quarter Midget Nationals or Regional Competitions, or other key events so designated by the Recreation Commission, the Director or his designee.

"That the use of noise devices, including but not limited to air horns and shakers (home-made or manufactured), be banned in all Cobb County parks."

**Enforcement for Adult Programming**

1. Signs shall be posted at entrances to softball complexes, conspicuously in spectator areas, and other pertinent areas in all parks.

2. The member of the public utilizing the device shall receive one warning that use of the device is prohibited, and asked to put it away.
3. Should a second usage occur, the device shall be confiscated--not to be returned.
4. Should a further infraction occur, the person shall be ejected from the park for the duration of the tournament.
5. At all National and World level tournaments, written as well as verbal information will be given to managers, clearly indicating that use of noise devices is in violation of Department policy. Further, as gate staff observe these devices being brought into the Complex, the holder shall be informed that their use is prohibited.

#### Enforcement for Youth Programs

Since Department staff are generally not on duty during youth tournaments, enforcement at all youth programs shall be the responsibility of the adult volunteers responsible for the operation of the programs. If staff are on duty, they will also assist in enforcing the policy. The policy shall be included on all facility use contracts, and Youth Organizations shall be expected to monitor and enforce the policy, utilizing the same procedure as listed for adults.

Failure of a Youth Volunteer Organization to enforce the policy will result in the following progressive disciplinary action:

1. The organization will be warned, in writing, that they have failed to enforce the policy.
2. Upon the second infraction, the organization will be told, in writing, that they are on probation.
3. The third occurrence will result in the revocation of the facility use contract until such time as responsible adherence to the policy can be demonstrated.

### SECTION III - LITTERING, DUMPING, POLLUTION OF WATERS PROHIBITED

#### ARTICLE A - UNLAWFUL TO DISCARD OR DEPOSIT REFUSE OF ANY KIND OR NATURE IN OR UPON THE PROPERTY OF COBB COUNTY

It shall be unlawful to discard or to deposit refuse of any kind or nature in or upon the property of the Department except by placing refuse in containers provided for such purpose. Failure to abide by this law could constitute a misdemeanor offense.

#### ARTICLE B - DISCARDING OF DOMESTIC REFUSE PROHIBITED

It shall be unlawful to discard or to deposit domestic or household refuse and garbage in or upon the property of the Department. Park dumpsters or other such containers are

intended for Department internal use only. Failure to abide by this law could constitute a criminal theft of services and is a misdemeanor offense.

#### ARTICLE C - POLLUTION OF WATERS PROHIBITED

It shall be unlawful to throw, cast, lay, drop, or discharge into or leave in waters administered by or under the jurisdiction of the Department any substance, matter, or thing, liquid or solid, which may or shall result in the pollution of said waters. Failure to abide by this law will constitute a misdemeanor offense.

#### SECTION IV - MAINTENANCE OF ATHLETIC FACILITIES

The Department is responsible for the cutting of grass, moving of bleachers, general maintenance, and other activities normally associated with the day-to-day operation of a facility. Emphasis in athletic field maintenance will be to provide safe facilities on which citizens can play.

#### SECTION V - CONTROL OF KEYS, LOCKS, ETC.

The Commission recognizes the importance of a physically secure parks system. Therefore, an organized system by which control of keys and locks used in or on park facilities will be established and maintained by the Director or his designee. Deposits and/or fees may be charged in order to maintain said system.

#### SECTION VI - CONTROL OF UTILITIES

##### ARTICLE A - ELECTRICITY

Public utilities consume a major portion of the Department's budget, and therefore their control and energy conservation measures are of major importance to the Department.

A designated adult must be responsible to ensure that a facility is secure and that all lights are out before the user group leaves an assigned park. Further be it known that for enforcement purposes, the president of such group is known as the designated adult. Additionally, the use of lights during periods of rain, or prior to their use being necessary, shall constitute misuse of electricity and lighting equipment.

The following are the actions for misuse of lighting equipment.

Violation #1 - Warning and group to be placed on probation for a period of 20 days.

Violation #2 - Probation continues, plus a \$50 fine to be paid immediately.

Violation #3 - User contract will immediately be declared void and no further use of said facility will be allowed.

Misuse of electrical equipment located within a building constitutes a violation of the Park-Use Contract and could void said contract.

The Commission authorizes the Director or his designee to police such misuse and take necessary actions as stated above.

#### ARTICLE B - GAS

The use of natural gas and installation of equipment using natural gas is encouraged by the Commission. Due to the dangerous nature of this fuel, only authorized service personnel are allowed to inspect, service, and install said equipment.

#### ARTICLE C - WATER

The volume of water used in parks and recreation facilities makes it necessary to conserve this natural resource whenever possible. Misuse of water at any time will constitute a violation of the Park-Use Contract and could cause said contract to be voided.

The theft of water for uses other than those directly related to the operation of a park or park facility will constitute a misdemeanor offense.

#### ARTICLE D - TELEPHONE

The Department will provide a minimum of one telephone per park to provide user groups with an immediate means for dealing with any emergency that would require outside attention. Said telephone is not intended for private or personal business. Any additional billing that is received beyond the base cost of the telephone service will be paid by the user group which has the facility reserved by a Park-Use Contract.

Any other telephone services will be the responsibility of the group which contracts for such services.

### SECTION VII - RELIGIOUS SERVICES, GATHERINGS, PERMITTED IN COBB COUNTY PARK FACILITIES

ARTICLE A - REGULAR USAGE OF PARK FACILITIES FOR RELIGIOUS PURPOSES

Cobb County park or park facilities shall not be made available to churches or other such religious groups for use as their regular worship assembly locations, with a narrow exception. That exception would be that if the Recreation Commission or Board of Commissioners wished to allow churches and organizations to rent facilities pending the completion of their regular worship facilities.

The closing of facilities open to the public to accommodate religious use would have the effect of advancing religion and would be prohibited. It shall be the duty of the Director of the Parks, Recreation and Cultural Affairs Department or his designee to make a decision based on the above ruling. Any request for such usage that does not fit into the above ruling will be considered on an individual basis by the Recreation Commission. (Bentley, Bentley, and Bentley - November 20, 1989)

ARTICLE B - TENT REVIVALS

The Commission hereby approves tent revival usage of County park facilities. The Director or his designee is given authority to grant approval of area and schedule of such. Tent revivals or other such gatherings may be limited length of usage by this Commission or Director. (All tents must comply with County Ordinance on temporary structures - Sec. 301 and 404.17)

ARTICLE C - SUNRISE SERVICES PERMITTED IN COBB COUNTY PARKS

This Commission approves usage of County park facilities for sunrise services and other such religious activities. The Director or his designee is granted authority to grant approval of area and schedule of such. This includes the authority to allow usage prior to normal park hours (7:00 a.m.).

SECTION VIII - BUS/VAN USAGE BY OUTSIDE GROUPS

It is the policy of this Commission that Department vehicles will not be used for the purpose of field trips by outside groups. Further, it is this Commission's policy that wherever cooperative programming is deemed in the best interest of the participants served by this Department, vehicles may be used for cooperative activities. These cooperative activities will be so designated by the Director or his designee. Any fee or charge placed on cooperative usage will be established on a cost-effective basis, instance

by instance, by the Director or his designee. All requests for vehicle usage shall be made to the Recreation Program Manager. Requests will be honored on a first-come, first-served basis, in the following priority order:

- A. Recreation Program Unit programming
- B. Other Departmental program usage
- C. Cooperative programming--defined as mutual agreement between this Department and other agencies for reciprocal services.
- D. Cobb County government--other departments within Cobb County
- E. Groups not directly affiliated with or served by Cobb County Parks, Recreation and Cultural Affairs Department.

Requests will be approved or denied based on the availability of the vehicle and the driver.

Only approved County employees having a current Commercial Driver's License (CDL-Class C) and trained through the Cobb County Parks, Recreation and Cultural Affairs Department training program may drive the buses or vans. The Department retains the right to schedule drivers as the Department deems in its best interest.

#### **SECTION IX - VOLUNTEER LIABILITY**

Volunteers are acting as an agent of the County, and as such, cannot be held liable unless a tort occurs. Georgia does have volunteer protection legislation which, is called the "Georgia Volunteer Protection Statue."

For further documentation, this section references the legislation and interpretations, filed in the Director's Administrative Assistant's Office, located in the "Volunteer Liability" file.

## **APPENDIX**

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